Received from NSA 4/20

FISA Business Records Telephony Metadata Collection

Verification Requirement:

Verify that the data is of the type authorized by the order (i.e., call-detail records/ telephony metadata). (See page 2 of the Order.)

Under no circumstances may the substantive content of communications be received under this order.

Specific Court-Ordered Procedures and Restrictions (see pages 5-12 of the Order):

Standard for Accessing Data

Any search or analysis of the data archive shall occur only after a particular known telephone number has been associated with [redacted] Seed queries must be particular known telephone numbers that meet the targeting standard articulated by the Court --based on the factual and practical considerations of everyday life on which reasonable and prudent persons act, there are facts giving rise to a reasonable, articulable suspicion that the telephone number is associated with [redacted] provided, however, that a telephone number believed to be used by a U.S. person shall not be regarded as associated with [redacted] solely on the basis of activities that are protected by the First Amendment to the Constitution. (See Order, ¶ 3(A).)

No targeting U.S. persons based upon 1st Amendment protected activities.

OGC must review and approve targeting of U.S. persons to ensure that standards are met.

Other Access Requirements

Access to this data is limited to authorized analysts. NSA's OGC shall monitor the designation of individuals with access to the archive. Access to the archive shall be controlled by user name and password. When the metadata archive is

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accessed, the user's login, IP address, date and time, and retrieval request shall be automatically logged for auditing capability.

All queries must have <u>prior</u> approval of one of the following:

a) SID Program Manager for Counterterrorism Special Projects
b) Chief, Homeland Security Analysis Center
c) Deputy Chief, Homeland Security Analysis Center
d) Homeland Mission Coordinator

The above individuals must establish management controls for access to the data.

Automatic log must be generated for each occasion when the info is accessed. Log must contain: a) user login, b) user IP address, c) date and time, d) retrieval request.

<u>Manner of Accessing Data</u>

NSA is permitted to perform two sorts of queries: 1) contact chaining to a third tier of contacts, and 2) [redacted]

<u>Storage</u>

Metadata must be stored and processed on a secure private network that NSA exclusively will operate.

Metadata received under this Order may be kept online for 5 years and then destroyed.

<u>Training & Oversight</u>

OGC must train analysts concerning the authorization and querying standard, as well as other procedures and restrictions regarding the retrieval, storage, and dissemination of the archived data.

OGC must monitor the designation of individuals with access to the data and the functioning of the automatic logging/auditing.

OGC must conduct two random spot checks during the authorization period to ensure that NSA is receiving only data as authorized by the Court and not receiving the substantive content of communications.

DoJ shall conduct a review at least twice every 90 days of a sample of NSA's queries against the data.

The IG, OGC and SID Oversight must periodically review the program.

Minimization Rules

USSID 18 minimization procedures must be applied to the activity.

Prior to dissemination of any U.S. person identifying information, the Chief of Information Sharing Services must determine that information identifying U.S. persons is related to counterterrorism information and that it is necessary to understand or assess the counterterrorism information.

Duration of Authorization

FISC order is valid for 90 days.

Reporting and Renewal Requirements

NSA must file a report every 45 days with the Court that includes:

1. the queries that have been made since this Order was granted;
2. the manner in which NSA applied the standard required by the Court for accessing the data, and
3. any proposed changes in the way in which the call-detail records would be received.